

Congresswoman Introduces Bill to Protect Americans Whose Belongings are Searched by Border Agents

WASHINGTON, D.C. – Congresswoman Loretta Sanchez (CA-47), the highest ranking female member of the House Homeland Security Committee, introduced legislation to strengthen privacy protections for U.S. citizens whose electronic data is seized in border and port of entry searches. H.R. 216, the Border Security Search Accountability Act of 2011, would provide the Department of Homeland Security (DHS) with guidelines for searching individuals and their belongings at our borders, while also setting standards to protect travelers' privacy.

"Security and civil liberties are not mutually exclusive goals," said Rep. Sanchez. "We can, and must, strike a balance between strengthening our borders and protecting fundamental rights. My bill accomplishes both goals by creating stronger privacy protections for Americans whose electronic devices and documents are seized at our borders and other ports of entry."

In 2009, the Department of Homeland Security adopted policy directives similar to those laid out in H.R. 216, but more must be done. H.R. 216 would strengthen protections for U.S. citizens and their property by codifying specific guidelines concerning the retention, storage, copying, and sharing of personal identity information that may be contained in seized electronic devices.

In addition to establishing a well-defined search and seizure procedure, the *Border Security Search Accountability Act of 2011* would also require the Department of Homeland Security to post information about individuals' rights related to border searches in visible areas near search points, so individuals fully understand their rights. The bill will also ensure that the Trade Secrets Act, the Privacy Act, and all other governing rules and regulations pertaining to privileged and personal data (including attorney-client and doctor-patient privileged materials) are handled with the utmost discretion.